

REMARKS

Claims 9 through 17 are pending in the present application. Claim 13 has been amended. Claims 17 has been added. Claims 9 through 12, 14 and 16 have been indicated as allowable by the Examiner. The Examiner has rejected Claims 13 and 15.

REJECTION UNDER 35 U.S.C. § 112 (second paragraph)

The Examiner has rejected Claims 13 and 15 under 35 U.S.C. §112, second paragraph, alleging them to be indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended Claim 13 in an attempt to overcome the Examiner's §112 rejection. Applicant has amended Claim 13 to define the pivot. Accordingly, Applicant believes Claim 13 and 15 to overcome the Examiner's §112 rejection.

REJECTION UNDER 35 U.S.C. § 102(b)

The Examiner has rejected Claims 13 and 15 under 35 U.S.C. §102(b) alleging them to be anticipated by Atkinson. The Examiner alleges that Atkinson disclose Applicant's invention.

Claim 13, among other elements, defines that the sole plate is pivotally attached at one of its ends to the body. In the first position, the sole plate is in contact with the workpiece acting as a guide for use of the power saw as a jig saw. In the second position the sole plate is pivoted about its end out of contact with the workpiece with the saw in a use position.

As shown in the Atkinson reference, specifically in Figure 6, the sole plate 15 contacts the workpiece 33 at all times. The Atkinson device does not enable the sole plate to pivot out of contact with the workpiece as claimed by Applicants. Thus, nowhere during use of the Atkinson

device is the sole plate out of contact with the workpiece. Accordingly, the Atkinson design fails to disclose or suggest Applicant's invention.

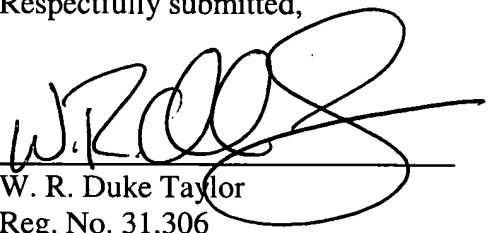
New Claim 17 has been added. New Claim 17 defines a power saw. The power saw has a pivotable sole plate wherein in one position the sole plate acts as a guide for the power saw as a jig saw where the reciprocating shaft passes through the sole plate. In a further position, the sole plate is pivoted with respect to the first position so that the blade mounted with respect to the reciprocating shaft does not pass through the sole plate when the power saw is in use. Applicant believes this claim to be patentably distinct over the art cited by the Examiner.

In light of the above amendments and remarks, Applicant submits that all pending claims are in condition for allowance. Accordingly, Applicant respectfully requests the Examiner to pass the case to issue at her earliest possible convenience. Should the Examiner have any questions regarding the present application she should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted,

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